

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

GREGORY PEEPLES,

Plaintiff,

v.

KAREN MILES,

Defendant.

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No. 4:17-CV-1368 JAR

ORDER OF DISMISSAL

This matter is before the Court sua sponte. Rule 4(m) of the Federal Rules of Civil Procedure states, “If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant. . .”

On April 3, 2018, Associate City Counselor Thomas R. McDonnell submitted a letter to the Court stating that the Office of the City Counselor could not waive service on behalf of defendant Karen Miles “as we do not have a record of her being employed by the City of St. Louis.” *See* ECF No. 18. On April 6, 2018, the Court sent plaintiff a letter asking him to provide the proper address for defendant Karen Miles so that the Court could review and issue process. *See* ECF No. 19. Plaintiff never responded.

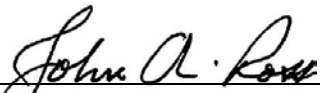
On May 10, 2018, the Court ordered plaintiff to provide the Court with an address at which defendant Karen Miles could be timely served. The Court stated that “plaintiff’s failure to timely respond to this Order shall result in the dismissal of this cause of action, without prejudice, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.” *See* ECF No. 20.

Plaintiff has failed to answer the Court, or otherwise serve defendant Miles within 90 days of the filing of the complaint. As a result, the Court will dismiss this action, without prejudice.

Accordingly,

IT IS HEREBY ORDERED that this case is **DISMISSED** without prejudice. *See* Fed. R. Civ. P. 4(m)

Dated this 7th day of June, 2018.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE